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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,648	09/22/2000	Paul F. Mackin	1958.2006-000	1149

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EXAMINER	
BARQADLE, YASIN M	
ART UNIT	**PAPER NUMBER**
2153	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/667,648	MACKIN ET AL.	
	Examiner	Art Unit	
	Yasin M. Barqadle	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *68* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *58 and 68* is/are allowed.

6)☒ Claim(s) *1-57 and 59-67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

1. The amendment filed on May 27, 2005 has been fully considered but are moot in view of the new ground(s) of rejection.

2. Claims 1-68 are presented for examination.

Allowable Subject Matter

3. Claims 58 and 68 are allowed.

Response to Arguments

4. Applicant argues in page 14, paragraph 4 that "the cluster does not include the recited message list or task processing." Examiner notes that Barry discloses a message queuing cluster server (DSS 47) where requests from users are processes and logged message/reports are sent to clients via FTP (col. 31, lines 37-50 to col. 33, lines 67 and col. 34, lines 2-54).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry et al US (6615258) in view of Kampe et al USPN. (6691244).

As per claim 1, Barry et al teach a method for interacting with a client (fig.2, 20) in a distributed computing environment having a plurality of computing nodes (fig. 2) interconnected to form a cluster (cluster 24, fig. 2), the method comprising:

connecting a client to a node of the cluster [fig.2 and fig. 12. cluster 475; col. 7, lines 29-57 and col. 31, lines 37-50];

associating a message list to the client on the (master) node [Col. 18, lines 17-66 and col. 31, lines 37-50 to col. 33, lines 67 DSS cluster 475 logs error in queue

,formats reports, performs transaction logging function and generates reports based on logged results and transmits reports via FTP. See also col. 34, lines 2-54];

performing tasks for the client on a plurality of nodes of the cluster [Col. 18, lines 19-66; col. 31, lines 37-50 to col. 33, lines 67 and col. 34, lines 2-54 detected error include errors logged internally by the DSS Cluster];

detecting an event while performing one of the tasks [Col. 18, lines 56 to col. 19, line 16. see also col. 21, lines 25 to line 22 line 32];

storing a message on the message list descriptive of the detected event [col. 22, lines 33 to Col. 23, lines 50 and col. 31, lines 37-50 to col. 33, lines 67 and col. 34, lines 2-54]; and

communicating the message to the client [col. 25, lines 40-65 and col. 44, lines 14-55 and col. 31, lines 37-50 to col. 33, lines 67 and col. 34, lines 2-54].

Although Barry et al shows substantial features of the claimed invention including a cluster of Web servers, he does not explicitly show a master node.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Barry et al, as evidenced by Kampe et al USPN. (6691244).

In analogous art, Kampe et al whose invention is about a high-availability distributed computing system, disclose a computing cluster system with a master node [Col. 5, lines 48-65], where the master node includes cluster membership monitor that maintains contact with member and provide heartbeat about detected failure on the network. Giving the teaching of Kampe et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Barry et al by employing the distributed computing system of Kampe et al that contains a master node of the cluster system. One is motivated to do so because the cluster master provides a central coordination point for cluster-wide synchronization operation and makes sure that all existing member are working properly.

As per claim 2, Barry et al teach the method of Claim 1 wherein the event is detected on a node different from the

master node [Col. 18, lines 56 to col. 19, line 16. see also col. 21, lines 25 to line 22 line 32].

As per claim 3, Kampe et al teach the method of Claim 1 further comprising, on the master node, establishing an object unique to the client for interfacing with the client [col. 5, lines 29-45 and col. 8, lines 23-52].

As per claim 4, Kampe et al teach the method of Claim 3 wherein the object is accessible across the cluster [col. 8, lines 23-52].

As per claim 5, Barry et al teach the method of Claim 1 wherein communicating comprises formatting a message code into a message string [col. 16, lines 5-20 and col. 36, lines 20-54].

As per claim 6, Barry et al teach the method of Claim 1 wherein storing comprises formatting a message code into a message string [col. 16, lines 5-20 and col. 36, lines 20-54].

As per claim 7, Barry et al teach the method of Claim 1 further comprising structuring the message list as a stack [col. 32, lines 39-56].

As per claim 8, Kampe et al teach the invention further comprising a failing over the master node to another node on the cluster in response to a failover event on the master node [col. 4, lines 17-30 and col. 6, lines 60 to col. 7, line 8].

As per claim 9, Barry et al teach the method of Claim 1 wherein the event is an error event [col. 61, lines 27-61].

As per claims 10, wherein the event is a dialogue event (col. 61, lines 27-61 and col. 31, lines 37-50 to col. 33, lines 67 and col. 34, lines 2-54).

As per claim 11 this claim has similar limitations as claims 1 and 3 above. Therefore, it is rejected with the same rationale.

As per claims 12, 31 and 50, Barry et al teach the invention further comprising, in the client manager,

tracking a plurality of contexts for the client, each context having a respective message list [col. 11, lines 1-18 and col. 21, lines 34 to col. 22 line 32].

As per claims 13, 32 and 51, Barry et al as modified teach the invention wherein the event is detected on a node different from the master node [col. 21, lines 25 to line 22 line 32 and col. 44, lines 3-40].

As per claims 14,33 and 52, Barry et al teach the invention, wherein communicating comprises formatting a message code into a message string [col. 16, lines 5-20 and col. 36, lines 20-54].

As per claims 15, 34 and 53, Barry et al teach the invention wherein storing comprises formulating a message code into a message string [col. 16, lines 5-20 and col. 36, lines 20-54].

As per claims 16, 35 and 54, Barry et al teach the invention further comprising structuring the message list as a stack [col. 32, lines 39-56]

As per claims 17, 36 and 55, Kampe et al teach the invention further comprising failing over the master node to another node on the cluster in response to a failover event on the master node [col. 4, lines 17-30 and col. 6, lines 60 to col. 7, line 8].

As per claims 18, 37 and 56, Barry et al teach the invention wherein the event is an error event [col. 61, lines 27-61].

As per claims 19, 38 and 57, Barry et al teach the invention wherein the event is a dialogue event [col. 61, lines 27-61].

As per claims 20 and 39, these are system and an article of manufacture claims with similar limitations as claim 1 above. Therefore, they are rejected with the same rationale.

As per claims 21 and 40, Barry et al teach the invention wherein the event is detected on a node different from the master node [col. 21, lines 25 to line 22 line 32 and col. 44, lines 3-40].

As per claims 22 and 41, Kampe et al teach the invention further comprising, on the master node, an object unique to the client for interfacing, with the client [col. 5, lines 29-45 and col. 8, lines 23-52].

As per claims 23 and 42, Barry et al teach the invention wherein the object is accessible across the cluster [col. 8, lines 12-58].

As per claims 24 and 43, Barry et al teach the invention wherein a message code is formatted into a message string for communication to the client [col. 16, lines 5-20 and col. 36, lines 20-54].

As per claims 25 and 44, Barry et al teach the invention wherein a message code is formatted into a message string for storage on the message list [col. 32, lines 39-56].

As per claims 26 and 45, Barry et al teach the invention wherein the message list is structured as a stack [col. 32, lines 39-56].

As per claims 27 and 46, Kampe et al teach the invention further comprising a fail safe module for failing over the master node to another node on the cluster in response to a failover event on the master node [col. 4, lines 17-30 and col. 6, lines 60 to col. 7, line 8].

As per claims 28 and 47, Barry et al teach the invention wherein the event is an error event [col. 61, lines 27-61].

As per claims 29 and 48, Barry et al teach the invention wherein the event is a dialogue event [col. 61, lines 27-61].

As per claim 59 and 65, this claim recites the combined subject matter of claims 11,12 and 16. Therefore, it is rejected with the same rationale.

As per claims 60,63 and 66, Barry et al as modified teach the invention where the distributed object is a synchronous call interface (col. 28, lines 53-61).

As per claims 61,64 and 67, Barry et al teach the invention wherein the synchronous call interface does not require network semantics (col. 28, lines 21-45).

As per claim 62, this claim recites the combined subject matter of claims 30,31 and 35. Therefore, it is rejected with the same rationale.

Conclusion

1. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the

statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained form the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available through private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

Art Unit 2153